



Atty. Dkt. No. 017661-0181

Amendments to the Drawings:

The drawing sheets attached in connection with the above-identified application containing Figures 1, 4 and 5 are being presented as a new formal drawing sheets to be substituted for the previously submitted drawing sheets. The drawing Figures 1, 4 and 5 have been amended. Appended to this amendment is an annotated copy of the previous drawing sheets which have been marked to show changes presented in the replacement sheets of the drawings.

The specific changes which have been made to the figures are:

Figure 1: Change label for local oscillator from "132" to "131".

Figure 4: Add label "194" to D/A conversion section.

Figure 5: Change output of Mean Value Section 192 from "S11" to "S7".



REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being added or cancelled.

Claims 1 and 3-7 are currently being amended.

This amendment and reply amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-7 are pending in this application.

Indication of Allowable Subject Matter:

Applicant appreciates the indication in the Office Action that claims 4-7 contain allowable subject matter. Based on the amendments made to claims 4-7 to address the objections to those claims, claims 4-7 are now believed to be in allowable form based on the indications made in the Office Action.

Objection to the Drawings:

In the Office Action, the drawings were objected to for the reasons set forth on pages 2 and 3 of the Office Action. By way of this amendment and reply, the drawings have been amended to overcome these objections, whereby replacement formal drawing sheets for Figures 1, 4 and 5 are being submitted.

Objection to the Specification:

In the Office Action, the specification was objected to because of an informality noted on page 3 of the Office Action. By way of this amendment and reply, the informality noted in the Office Action (as well as another informality) has been corrected.

Objection to the Claims:

In the Office Action, claims 1-7 were objected to for the reasons set forth on pages 3 and 4 of the Office Action. Claims 1 and 3-7 have been amended in accordance with the

helpful suggestions made in the Office Action (but see amendments to claim 3 based on claim 1 changes), whereby it is submitted that presently pending claims 1-7 are unobjectionable.

Claim Rejections – Prior Art:

In the Office Action, claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,715,526 to Weaver, Jr. et al. (“Weaver”); and claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Weaver in view of U.S. Patent No. 5,930,242 to Mimura. These rejections are traversed with respect to presently pending claims 1-3, for at least the reasons given below.

Weaver performs an automatic gain control (AGC) function by making a transmitter output value, y' , as close as possible to a desired output value, y_d . This is done by comparing those two values, as shown in Figure 2 of Weaver, for example. Please note that the desired output value y_d does not correspond to a maximum transmission power value, and as such it does not meet the specific claim limitations in claim 1.

Still further, claim 1 has been amended to recite “comparing a mean value of the amplitude data obtained over a predetermined time period with a predetermined maximum data.” In the system of Weaver, a current value y_d is compared with a current value y' , and no computation of a mean value of y' or y_d over a predetermined time period is performed in the system of Weaver.

Accordingly, for at least the reasons given above, presently pending independent claim 1 is not anticipated by Weaver. It is noted that the art cited against claims 2 and 3, Mimura, does not rectify the above-mentioned deficiencies of Weaver, and thus claims 1-3 are patentable over the cited art of record.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment,

to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date October 6, 2006

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5407
Facsimile: (202) 672-5399

By David A. Blumenthal Reg. No. 43,438

David A. Blumenthal
Registration No. 26,257

Phillip J. Articola
Registration No. 38,819